

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Kerry Kidd

v.

Civil No. 11-cv-350-JL

Northern NH Correctional Facility,  
Acting Warden

ORDER

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated November 28, 2012. " [O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal." School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal). Further, because the Petitioner has made no substantial showing of the denial of a constitutional right, no certificate of appealability shall issue. See 28 U.S.C. §2253(c)(2); First Cir.LR22.0.

SO ORDERED.

December 29, 2012

  
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Joseph N. Laplante  
Chief Judge

cc: Kerry Kidd, Pro se  
Elizabeth C. Woodcock, Esq.